

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

In re:

Chapter 11

Case No. 18 B 23094 (RDD)

LEEER REALTY, LLC

Debtor.

PROPOSED RETENTION ORDER  
OF GREENBERG FREEMAN LLP

----- X

**ORDER AUTHORIZING RETENTION OF GREENBERG FREEMAN LLP AS  
SPECIAL COUNSEL, PURSUANT TO 11 U.S.C. § 327(e)**

Upon the application, by notice of presentment dated August 23, 2018 (with the supporting affidavits, the “Application”) of the debtor and debtor in possession herein (the “Debtor”) for an order authorizing the retention of Greenberg Freeman LLP as special counsel to the Debtor with respect to the Trustco Litigation, as defined in the accompanying affidavit of Michael A. Freeman, Esq. in support of the Application; and the objection of Flushing Bank to the Application having been withdrawn by letter dated October 23, 2018; and, after due notice, there being no other objections to the Application; and, after due deliberation, it appearing that Greenberg Freeman LLP does not hold or represent an adverse interest to the Debtor in respect of the Trustco Litigation and that its retention is necessary and in the best interests of the estate; and no additional notice or hearing being required, it is hereby

ORDERED that the Application is granted as set forth herein; and it is further

ORDERED that, pursuant to 11 U.S.C. § 327(e), the Debtor is authorized to retain Greenberg Freeman, LLP as its special litigation counsel with respect to the Trustco Litigation, nunc pro tunc to July 17, 2018; and it is further

ORDERED that the compensation and reimbursement of the reasonable and necessary expenses of Greenberg Freeman LLP shall be sought upon, and paid only upon an order

granting, an application pursuant to 11 U.S.C. §§ 330 and 331, as the case may be, and the applicable Bankruptcy Rules, Local Bankruptcy Rules Rules and fee and expense guidelines and orders of this Court; and it is further

ORDERED that at least ten business days before implementing any increase in the rates of Greenberg Freeman, LLP professionals providing services in this case from those described in the Application, Greenberg Freeman LLP shall file and serve on the United States Trustee and any official committee a supplemental affidavit providing justification for any such rate increases and stating whether the Debtor has agreed to them. All parties in interest retain the right to object to any rate increase on any grounds; and it is further

ORDERED that Greenberg Freeman LLP shall apply any remaining amounts of its prepetition retainer as a credit toward postpetition fees and expenses, after such postpetition fees and expenses are approved pursuant to the first Order of the Court awarding fees and expenses to Greenberg Freeman LLP.; and it is further

ORDEREED that Greenberg Freeman LLP shall not duplicate any services performed by any other professional retained in this case; and it is further

ORDERED that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order; and it is further

ORDERED that if there is any inconsistency between the terms of this Order, the Application, the terms of this Order shall govern.

Dated: November 1, 2019  
White Plains, New York

/s/ Robert D. Drain  
HON. ROBERT D. DRAIN  
U.S. BANKRUPTCY JUDGE, S.D.N.Y.